

September 19, 2005

**VIA HAND DELIVERY**

Alessandro Iuppa, Superintendent  
Maine Bureau of Insurance  
34 State House Station  
Augusta, ME 04333-0034

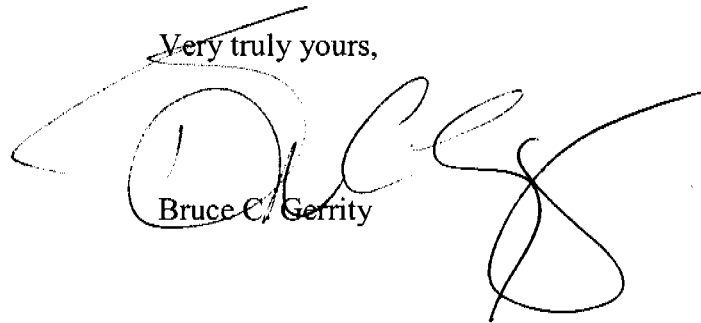
**RE: Review of Aggregate Measurable Cost Savings Determined by Dirigo Health  
For The First Assessment Year - Docket #INS-05-700**

Dear Superintendent Iuppa:

Attached please find the Motion to Intervene by Maine Automobile Dealer's Health Trust and the Banker's Health Trust. Please also accept this Petition as the request of MEWAs for the copy of the filing by the Dirigo Health Board. We would also request a copy of any other petitions to intervene.

Thank you for your attention to this matter.

Very truly yours,



Bruce C. Gerrity

BCG:tmh  
Enclosure

cc: Dirigo Health Agency  
Thomas T. Brown, Jr.  
Mark Walker, Esq.  
Thomas Sturtevant, Esq.

1054815.1

STATE OF MAINE  
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION  
BUREAU OF INSURANCE

IN RE: REVIEW OF AGGREGATE	)	
MEASURABLE COST SAVINGS	)	MOTION OF THE MAINE
DETERMINED BY DIRIGO	)	AUTOMOBILE DEALERS
HEALTH FOR THE FIRST	)	ASSOCIATION INSURANCE
ASSESSMENT YEAR	)	TRUST AND THE BANKERS
	)	HEALTH TRUST TO INTERVENE
DOCKET NO. INS-05-700	)	AS A MATTER OF RIGHT

NOW COME the Maine Automobile Dealers Association Insurance Trust and the Bankers Health Trust, by and through their undersigned counsel, and, pursuant to 5 M.R.S.A. § 9054(1), Bureau of Insurance Rule Chapter 350, and the Superintendent's Notice of Pending Proceeding and Hearing dated June 29, 2005, move to intervene in this adjudicatory proceeding as a matter of right. In support of this motion, the Maine Automobile Dealers Association Insurance Trust and the Bankers Health Trust state as follows:

1. Under 5 M.R.S.A. § 9054(1), a party is entitled to intervene as a matter of right in an adjudicatory proceeding conducted by the Superintendent when that person "show[s] that he is or may be, or is a member of a class which is or may be, substantially and directly affected by the proceeding."

2. The Maine Automobile Dealers Association Insurance Trust and the Bankers Health Trust (collectively, "the Trusts") are multiple employer welfare arrangements ("MEWAs") that secure health insurance for approximately 4,500 employee participants, and approximately 10,000 insurable lives.

3. The Trusts employ third-party administrators ("TPAs") to manage and administer their health insurance programs. Under 24-A M.R.S.A. §§ 6913(2)-(3), those TPAs are, by

virtue of the Dirigo Health Board of Directors' determination of aggregate measurable cost savings of \$136.8 million, subject to savings offset surcharges of up to 4% of paid claims.

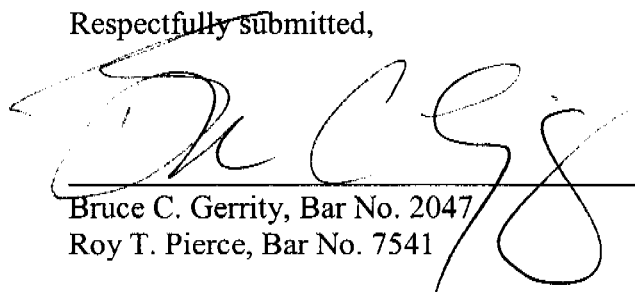
4. Any such savings offset surcharges will be passed on by the TPAs to the Trusts. Because they do not have reserves to pay the costs passed on by the TPAs, the Trusts will, in turn, be forced to pass those costs on to their participants. Therefore, any savings offset surcharge will *necessarily* result in higher health insurance costs to the Trusts' employee participants.

5. Accordingly, the Trusts, their members, and their participants are substantially and directly affected by this proceeding. In the alternative, for the foregoing reasons, the Trusts should be granted intervenor status pursuant to 5 M.R.S.A. § 9054(2) as a full participant in this proceeding.

WHEREFORE, the Maine Automobile Dealers Association Insurance Trust and the Bankers Health Trust respectfully requests that the Superintendent grant them intervenor status with the right to fully participate in this proceeding.

Dated: September 19, 2005

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'B. C. Gerrity', is written over a horizontal line. Below the line, the names and bar numbers of the signatories are printed.

Bruce C. Gerrity, Bar No. 2047  
Roy T. Pierce, Bar No. 7541

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